

REMARKS

Claims 1-10, 12, 14, 15, 17 and 19-74 are pending in the application. Claims 31-45 have been withdrawn. Claims 56 and 57 have been rejoined by the Examiner as stated in the November 15, 2005, Office Action.

Claim 1 is amended in a fashion agreed to by the Examiner in a telephone interview held on October 27, 2006. Claims 53, 56, 58, 59 and 66 are amended to recite similar language. Claims 31, 40 and 41 are amended to clarify the language of the claims as suggested by the Examiner in that telephone interview.

Substance of Telephone Interview

A telephone interview with the Examiner was held on October 27, 2006. In that interview, language that would clearly distinguish the subject matter of claims 1, 53, 58, 59, 66 and 74 over the disclosure of Belshe (USP 5,869,036) was discussed and agreed to. Additional minor amendments to claims 31, to clarify the nature of the immune response, and to 40 and 41, of an editorial nature, were also discussed and agreed to.

The Examiner also requested that Applicants' Representative point out where in the specification a "chimeric" glycoprotein is described and provide a drawing of such a chimeric glycoprotein.

In this regard, Applicants' Representative would direct the Examiner's attention to, e.g. page 35, line 14-24, which text describes what is meant by a "chimeric glycoprotein". An example of a recombinant virus construct including chimeric glycoprotein genes is provided by Figure 7 of the application.

Request for Rejoinder

Claims 31-45, directed to a method for stimulating the immune system of an individual, stand presently withdrawn from consideration. Applicants submit that, being ultimately dependent from claim 1, these claims are commensurate in scope with the presently allowable composition claims and represent methods of use of such compositions. As such, Applicants

respectfully request that the Examiner rejoin claims 31-45 to the present application and promptly allow these claims, pursuant to examination practices set forth in MPEP § 821.04.

The present application well-describes and claims patentable subject matter. The favorable action of allowance of the pending claims and passage of the application to issue is respectfully requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Mark J. Nuell (Reg. No. 36,623) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Dated: January 11, 2007

Respectfully submitted,

By 

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